

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1731 - HB 1546

February 10, 2014

SUMMARY OF BILL: Requires the Tennessee Peace Officer Standards and Training Commission (POST) to consult and cooperate with municipalities, this state and any political subdivision of this state, for the purpose of studying and compiling a report on the best method for interfacing multiple computer databases to provide police officers on patrol accessibility to information, thereby allowing officers, when making a lawful stop, to serve outstanding court papers such as warrants, unserved civil process, orders of protection and restraining orders. Requires POST to provide a report on or before January 1, 2015 of the results of the study to the Judiciary Committee of the Senate and the Civil Justice and Criminal Justice Committees of the House of Representatives.

Authorizes a state or local law enforcement agency, if such law enforcement agency has the technological ability and officer training to do so, on the effective date of this act and within existing resources, to serve outstanding court papers in the manner outlined when making a lawful stop. Such fees collected via service of process shall be used by any such agency to maintain, enhance, expand and upgrade the agency's computer network and interface with other databases.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Exceeds \$5,000/One-Time

Other Fiscal Impact – Due to unknown factors, the exact fiscal impact to law enforcement agencies cannot be determined. It is reasonably estimated that any affect will be the shifting of financial resources within the agency and the net impact will not be significant.

Assumptions:

- According to POST, no current staff or Commission members have the expertise to integrate database systems or provide such report, therefore, POST would require a contractor to conduct and produce such study.
- POST is unable to provide an estimated cost to hire an independent contractor to conduct such study; however, such amount is reasonably estimated to result in an increase in state expenditures exceeding \$5,000.
- It is unknown to what extent state and local law enforcement agencies' technology will permit officers to serve outstanding court orders during lawful stops. It is assumed that

SB 1731 - HB 1546

any agency with the technology to do so that chooses to serve papers at lawful stops will perform the task within its existing resources as required by the legislation. This could result in a reduction of expenditures in another area to cover the cost of the additional work.

- Requiring any fees collected from serving the process to be used by the serving agency to maintain, enhance, expand or upgrade the agency's computer network and interface with other databases could result in the collected funds no longer being available for current expenditures.
- While the exact fiscal impact to law enforcement agencies cannot be determined it is reasonably estimated that any effect will be the shifting of financial resources within the agency and the net impact will not be significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb